

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's)
Consideration of Telephone Safety) Case No. 10-884-TP-UNC
Valve Requests and Other Number)
Resource Related Filings.)

ENTRY

The attorney examiner finds:

- (1) On December 28, 2001, the Federal Communications Commission (FCC) released its Third Report and Order and Second Order on Reconsideration in CC Docket 99-200, *Numbering Resource Optimization*. At paragraph 61 of this Order, the FCC delegated authority to the states to hear claims that a safety valve mechanism should be applied when the North American Numbering Plan Administrator (NANPA) or the Pooling Administrator (PA) denies a specific request for numbering resources. Furthermore, the FCC clarified that the safety valve mechanism could be employed in those instances where a carrier is unable to meet a specific customer need or other verifiable need for additional resources.
- (2) On June 1, 2011, Sprint Communications Company, L.P. (Sprint) filed a Motion for Review of a decision of the PA. In its filing, Sprint explains that it recently submitted a request to the PA for the assignment of a block of one thousand telephone numbers in the Avon rate center in order to serve its wholesale customer, Time Warner Cable, which is serving the identified Ohio market as a voice over the Internet protocol provider.

According to Sprint, its request for additional numbering resources in the aforementioned rate center was rejected by the PA because Sprint did not meet the 75-percent utilization of assigned telephone numbers and its current number inventory exceeds the six months-to-exhaust criteria as required by the FCC.

Sprint states that a new block of one thousand telephone numbers is necessary to serve Time Warner Cable, which has a pending customer request for a block of 100 contiguous telephone numbers within the NPA [area code]-NXX [central office code]-8XXX block.

Sprint explains that it cannot satisfy Time Warner's request with its existing inventory. Sprint attached a letter from Time Warner verifying its need for the requested telephone numbers.

- (3) Pursuant to the Commission's Entry of November 7, 2002, in Case No. 97-884-TP-COI, the Commission, on its own motion, delegated the authority to rule on carrier numbering requests, other than an order to reclaim a code or thousands-block, to the Legal Department pursuant to an attorney examiner's entry.
- (4) After a review of Sprint's motion, the attorney examiner believes that the applicant has demonstrated a legitimate need for a block of one thousand telephone numbers in the Avon rate center in order to meet a verifiable need for telephone number resources in accordance with 47 C.F.R. §52.15(g)(4).

In reaching this determination, the attorney examiner recognizes Sprint's need for the requested telephone numbers in order to accommodate Time Warner Cable's anticipated growth in the aforementioned rate center so as to serve a particular end-user customer. For this reason, the attorney examiner finds that the PA's decision to deny Sprint's application for additional numbering resources in the Avon rate center should be overturned and the PA should assign to Sprint the requested block of telephone numbers. In the event that the need for this block of telephone numbers does not occur in the manner represented by the applicant, the unused thousands-block should be donated to the number pool in the Avon rate center.

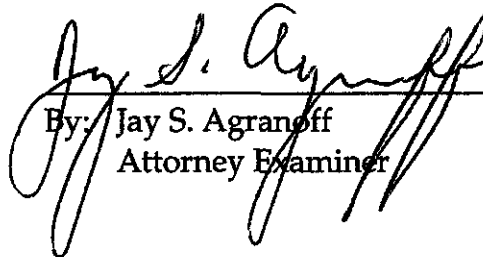
It is, therefore,

ORDERED, That Sprint's request to overturn the PA's decision to withhold the requested block of telephone numbers is granted. It is, further,

ORDERED, That should the forecasted demand for the requested block of telephone numbers not occur in the manner represented, the block should be returned to the applicable pool consistent with this Entry. It is, further,

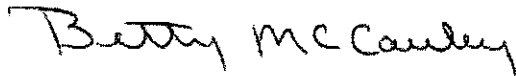
ORDERED, That a copy of this Entry be served upon the applicant.

THE PUBLIC UTILITIES COMMISSION OF OHIO


By: Jay S. Agranoff
Attorney Examiner

SA/dah

Entered in the Journal
JUN 09 2011



Betty McCauley
Secretary